

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:24-cv-08357-RGK-MAA Date October 1, 2024

Title *County of Ventura v. George Berka*

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Joseph Remigio

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Order to Show Cause Re Timeliness of Removal and Amount in Controversy

On September 25, 2024, George Berka (“Defendant”), proceeding pro se, removed this unlawful detainer action filed by the County of Ventura (the “County”) from Superior Court to this Court on the basis of diversity jurisdiction. (ECF No. 1.) Defendant, a resident of Connecticut, has leased space from the County’s airport to store his 1952 Beechcraft Bonanza aircraft, which he contends exceeds \$75,00 in value.

There are two apparent deficiencies with Defendant’s removal. First, removal appears untimely. Generally, a civil action must be removed within 30 days after service upon the defendant. 28 U.S.C. § 1446(b)(1). Here, service appears to have occurred more than 30 days before removal, since Defendant indicates this case proceeded to summary judgment on August 15, 2024. Second, the Court is highly skeptical that Defendant’s aircraft, which he admits “cannot be flown . . . or easily moved, and must be completely disassembled for transport on a trailer, if it is to be removed from the airport” is valued in excess of \$75,000. (Notice of Removal ¶ 3.1.)

Accordingly, the Court **ORDERS** Defendant to **show cause in writing** why the Court should not remand the case to state court. Such a response shall be filed within **fourteen days** of the issuance of this Order and shall not exceed **five pages**.

IT IS SO ORDERED.

Initials of Preparer

JRE/ak